

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

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CRIMINAL NO: 14-221

v.

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SECTION: "N"

CYNTHIA HEFLER

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FACTUAL BASIS

Should this matter have gone to trial, the government would have proven beyond a reasonable doubt, through the introduction of competent testimony and admissible tangible exhibits, the following to support the allegations charged by the government in the one-count Bill of Information now pending against the defendant, CYNTHIA HEFLER.

In January 2010, the United States Secret Service, New Orleans Field Office ("USSS") received information from a representative from the business, A & H Armature Works, Inc., an electrical motor and generator repair company located in Westwego, Louisiana, that the company was a victim of embezzlement. USSS Special Agent Christopher McDonald investigated this matter. Through his investigation, SA McDonald spoke with the owners of the company, Harry Atwood ("Atwood") and Christine McClure ("McClure"), who informed him that they had suspicions that company funds were being embezzled from the company business bank accounts at First American Bank. Atwood and others from the company reviewed the company's bank accounts at First American Bank and saw that company funds were used to pay for CYNTHIA HEFLER's ("HEFLER") personal credit card. Atwood stated that HEFLER was not authorized to pay her personal credit cards with company funds. HEFLER was the office manager, who handled accounts receivable for the company, which included processing check payments made to the

company and depositing them into the business account at First American Bank. Atwood and others from the company found that HEFLER was uncooperative in providing documents and information associated with the company.

USSS agents interviewed HEFLER and advised her of her Miranda rights, which she waived both verbally and in writing. HEFLER provided oral and written statements. She admitted that she used A & H Armature Works, Inc. funds in order to pay her personal credit card debt. She admitted that she conspired with another in order to help pay off her debt accrued through gambling. She had confided in the co-conspirator that she had a gambling problem, and the co-conspirator suggested that she pay her personal credit card debt with funds from the business checks of A & H Armature Works, Inc. HEFLER admitted that she signed Christine McClure's name on the checks and on most occasions, the co-conspirator signed Atwood's signature on the checks in her presence. In return, the co-conspirator asked HEFLER to lie about the balance amount in the business account. HEFLER stated that she obeyed the co-conspirator because the co-conspirator was the only other person who knew about the fraud she was committing against the company.

First American Bank, located in New Orleans, Louisiana, in the Eastern District of Louisiana and elsewhere, was a bank whose deposits were insured by the Federal Deposit Insurance Corporation.

Records from First American Bank, account number x2325, in the name of A & H Armature Works, Inc., and from Chase Bank, credit card account number x3591, belonging to HEFLER, show that Chase Bank received eight checks processed between March 22, 2008 and October 14, 2009, totaling approximately \$17,351.15 from A & H Armature Works, Inc.'s First American Bank account number x2325, to pay HEFLER's Chase Bank credit card. The checks

have the purported signatures of McClure and Atwood on the face of them. HEFLER and her co-conspirator did not have authorization from Atwood and McClure to sign the checks.

The Government would prove that the amount of restitution, loss, and relevant conduct attributable to HEFLER for the purposes of this offense is approximately \$17,351.15.


APPROVED AND ACCEPTED:

CYNTHIA HEFLER
Defendant

Date

PAULINE HARDIN (6542)
Attorney for Defendant

Date



LOAN "MIMI" NGUYEN (23612)
Assistant United States Attorney

1-7-15

Date